

New Report

50th Legislature - 1st Regular Session, 2011

Thursday, Jan 27 2011 9:52 AM

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No Position

Posted Calendars and Committee Hearings

H2355 : COURT SURCHARGES

Hearing: House Judiciary (Thursday 01/27/11 at 9:00 AM, House Rm. 4)

S1245 : CAPITAL POSTCONVICTION PUBLIC DEFENDER; CONTINUATION

Hearing: Senate Judiciary (Monday 01/31/11, Senate Rm. 1)

Bill Summaries

H2015: JUSTICE COURT JURISDICTION; COUNTY PARKS

The jurisdiction of justice courts is expanded to include offenses committed in a county park located within 5 miles of the justice court precinct boundary.

First sponsor: Rep. Burges

General Comments (all lists):

No position; info for Ctys; cautions raised with sponsor by KMac

H2015 Daily History

Date Action

JUSTICE COURT JURISDICTION; COUNTY PARKS 1/11 referred to House gov.

H2159: SCRAP METAL DEALERS

Scrap metal dealers are required to make payment by mailing a check or money order for all scrap metal transactions that exceed \$25 (previously \$300). Scrap metal buyers cannot participate in more than one cash transaction for scrap metal per seller per day.

First sponsor: Rep. Ash

H2159 Daily History

Date Action

SCRAP METAL DEALERS 1/18 referred to House com.

H2198: RETIREMENT; EORP; PLAN DESIGN

A person who becomes an elected official after the effective date of this act is eligible for normal retirement benefits only upon attainment of 65 (with 5 or more years of credited service) or 62 (with a minimum 10 years of credited service). Formerly, members of the Elected Officials Retirement Plan were also eligible for retirement benefits at any age with 20 or more years of credited service. Also, beginning in fiscal 2011-12, the member's contribution percentage (currently 7%) is increased one percent per year until fiscal 2014-15 when the contribution percentage is 11% of the member's salary. The employer's contribution is unaffected by this change. Also changes in definitions and formulas used to calculate annual benefit increases.

First sponsor: Rep. Robson

H2198 Daily History	Date	Action
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No actions posted for this bill within the requested time frame.

H2285: INMATE CREDIT; IMPRISONMENT; FINE REDUCTION

A person imprisoned for nonpayment of a fine may receive credit toward payment of up to \$60, increased from \$10, for each day of imprisonment.

First sponsor: Rep. McLain

Others: Rep. Ash, Rep. Goodale, Rep. Tobin

H2285 Daily History	Date	Action
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INMATE CREDIT; IMPRISONMENT; FINE REDUCTION 1/24 referred to House mil-pub.

H2294: PRISONERS, PREGNANT; RESTRAINTS

Correctional institutions cannot use restraints on a prisoner who is known to be pregnant unless the corrections official determines that the prisoner presents an extraordinary circumstance. If restraints are used, they must be used in the least restrictive manner necessary.

First sponsor: Rep. Tovar

Others: Rep. Ash, Rep. R. Miranda, Rep. C. Miranda, Sen. L. Gray

H2294 Daily History	Date	Action
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PRISONERS, PREGNANT; RESTRAINTS 1/19 referred to House mil-pub.

H2298: PRIVATE PRISON MONITORING; SPECIAL AUDIT

The Auditor General is required to perform a special audit to evaluate how the Corrections Dept is monitoring private prison facilities, and to submit a report of the audit to the Legislature by December 31, 2011.

First sponsor: Rep. Campbell

Others: Rep. Tovar

General Comments (all lists):

CW DOC to dtm what problem they are seeking to solve.

H2298 Daily History

Date Action

PRIVATE PRISON MONITORING; SPECIAL AUDIT 1/24 referred to House mil-pub, gov.

H2355: COURT SURCHARGES

Renames court penalty assessments as "surcharges" and specifies that court surcharges are applied to the base fine, civil penalty, or forfeiture and not to any other surcharge.

First sponsor: Rep. Farnsworth

Others: Rep. Ash, Rep. Harper

H2355 Daily History Date Action

COURT SURCHARGES 1/27 House jud do pass; report awaited.

COURT SURCHARGES 1/20 referred to House jud.

H2442: ABORTION; SEX SELECTION; PROHIBITION

It is a class 3 (mid-level) felony to perform an abortion knowing the abortion is sought based on the sex of the child, to solicit monies for a sex-selection abortion, or to use force or the threat of force to intimidate a person into having an abortion for the purposes of sex-selection. It is a class 6 (lowest) felony for a health care professional to fail to report a known or suspected instance of a request for a sex-selection abortion.

First sponsor: Rep. Montenegro

Others: Rep. Barton, Rep. Burges, Rep. Gowan, Rep. Lesko, Rep. Seel, Rep. Smith, Rep. Stevens, Rep. Yee

H2442 Daily History

Date Action

ABORTION; SEX SELECTION; PROHIBITION 1/26 referred to House hel-hu ser.

H2443: ABORTION; SEX; RACE SELECTION; PROHIBITION

It is a class 3 (mid-level) felony to perform an abortion knowing the abortion is sought based on the sex or race of the child or the race of the parent, to solicit monies for a race- or sex-selection abortion, or to use force or the threat of force to intimidate a person into having an abortion for the purposes of race- or sex-selection. It is a class 6 (lowest) felony for a health care professional to fail to report a known or suspected instance of a request for an abortion for race- or sex-selection purposes.

First sponsor: Rep. Montenegro

Others: Rep. Barton, Rep. Burges, Rep. Forese, Rep. Gowan, Rep. Lesko, Rep. Seel, Rep. Smith, Rep. Stevens

H2443 Daily History

Date Action

ABORTION; SEX; RACE SELECTION; PROHIBITION 1/24 referred to House hel-hu ser.

H2444: LAW ENFORCEMENT OFFICER DISCIPLINE

Employers cannot commence disciplinary action against law enforcement or probation officers for any allegation of misconduct if the investigation is not completed within 120 days after the employer received notice of the allegation. Some exceptions. If disciplinary action is appropriate, the employer must give notice to the officer of intent to proceed with disciplinary action, along with a proposal of the specific action sought. In an administrative investigation, employers cannot administer polygraph examinations unless it is mutually agreed on by the law enforcement or probation officer and the employer.

First sponsor: Rep. Montenegro

H2444 Daily History	Date	Action
LAW ENFORCEMENT OFFICER DISCIPLINE 1/19 referred to House mil-pub, gov.		

H2477: LAW ENFORCEMENT OFFICERS; WITNESS; REPRESENTATION

Law enforcement and probation officers have a right to representation during interviews with an employer if the officer is a witness relating to an investigation that could lead to another officer's dismissal, demotion or suspension.

First sponsor: Rep. Gowan
Others: Sen. Antenori

General Comments (all lists):

no position

H2477 Daily History	Date	Action
LAW ENFORCEMENT OFFICERS; WITNESS; REPRESENTATION 1/24 referred to House employ-reg affairs.		

S1018: PRISONERS; TRANSITION SERVICES

The Department of Corrections is allowed, instead of required, to contract with private or nonprofit entities to provide transition services to prisoners. The transition services fund is eliminated and any unencumbered monies in the fund are transferred to the transition program fund. Retroactive to June 30, 2011.

First sponsor: Sen. L. Gray

General Comments (all lists):

Budget issue

S1018 Daily History	Date	Action
PRISONERS; TRANSITION SERVICES 1/26 Senate pub-hu ser held.		
PRISONERS; TRANSITION SERVICES 1/10 referred to Senate pub-hu ser.		

S1057: LAW ENFORCEMENT OFFICERS; DISCIPLINARY ACTION

A law enforcement officer who was subject to disciplinary action without just cause being established may recover all costs, including attorney fees associated with proceedings held to establish the officer's innocence. Punitive damages may be awarded by a court if it determines, by a preponderance of evidence, that the allegations were knowingly and intentionally filed without cause.

First sponsor: Sen. L. Gray

General Comments (all lists):

Ascertain AACO and League of C & T positions; oppose with punitive damages;

per John Thomas on 1/19 punitives to be removed. traditional partner, if asked may support LE on their position

Per Rob Dalager, not a Phx PD bill

S1057 Daily History

Date Action

LAW ENFORCEMENT OFFICERS; DISCIPLINARY ACTION 1/10 referred to Senate jud.

S1111: HANDHELD WIRELESS COMMUNICATION DEVICES; DRIVING

It is a civil offense for a person to use a handheld wireless communication device while driving a motor vehicle. The penalty for a first offense is \$100; the penalty for a second offense is \$250 plus community service; the penalty for a third offense is \$500 plus community service. If the person was involved in an accident, and it is determined the cause of the accident is related to use of the device, the civil penalty is doubled.

First sponsor: Sen. Pierce

General Comments (all lists):

No Position

S1111 Daily History

Date Action

HANDHELD WIRELESS COMMUNICATION DEVICES; DRIVING 1/13 referred to Senate jud.

S1200: IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS

The Dept of Transportation is required to reduce the time period that a person convicted of a DUI must use an ignition interlock device to 6 months if the person is a first time offender, voluntarily completes an alcohol or other drug education or treatment program provided by a facility approved by the Dept of Health Services, and has maintained a functioning ignition interlock device for 6 consecutive months.

First sponsor: Sen. L. Gray

Others: Sen. Biggs, Sen. Gould, Sen. Pierce

General Comments (all lists):

No position

S1200 Daily History

Date Action

IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS 1/26 from Senate pub-hu ser do pass.

IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS 1/26 Senate pub-hu ser do pass; report awaited.

IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS 1/24 referred to Senate pub-hu ser.

S1245: CAPITAL POSTCONVICTION PUBLIC DEFENDER; CONTINUATION

The statutory life of the State Capital Postconviction Public Defender's Office is extended five years to July 1, 2016. A purpose section states the office provides representation to any person not financially able to employ counsel in postconviction proceedings in capital cases.

First sponsor: Sen. Gould

General Comments (all lists):

No position

S1245 Daily History

Date Action

CAPITAL POSTCONVICTION PUBLIC DEFENDER; CONTINUATION 1/25 referred to Senate jud.

SCR1010: JUDICIAL DECISIONS; INTERNATIONAL LAW

The 2012 general election ballot shall carry the question of whether to amend Article VI, Section 1, of the Arizona Constitution to state that in making judicial decisions, Arizona courts must not look to legal precepts of other nations or cultures and must not consider international law.

First sponsor: Sen. L. Gray

Others: Rep. Burges, Rep. Jim Weiers, Sen. Allen, Sen. Antenori, Sen. Barto, Sen. Biggs, Sen. Bundgaard, Sen. Crandall, Sen. Gould, Sen. Griffin, Sen. Klein, Sen. Melvin, Sen. Murphy, Sen. Nelson, Sen. Pearce, Sen. Pierce, Sen. Reagan, Sen. Shooter, Sen. Smith, Sen. Yarbrough

General Comments (all lists):

No position

SCR1010 Daily History

Date Action

JUDICIAL DECISIONS; INTERNATIONAL LAW 1/11 referred to Senate jud.